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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,979	02/25/2004	David Yach	P1645US00	8976
63617 7590 01/16/2008 PERRY + CURRIER (FOR RIM) 1300 YONGE STREET SUITE 500 TORONTO, ON M4T-1X3 CANADA			EXAMINER LIN, SHEW FEN	
			ART UNIT 2166	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/784,979

Applicant(s)

YACH ET AL.

Examiner

Shew-Fen Lin

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-24 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/30/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

- a. This action is taken to response to amendments and remarks filed on 11/13/2007.
- b. Claims 1-24 are pending in this Office Action. Claims 1, 11-12, and 20 are independent claims.
- c. In view of the amendment to claim 11, the Examiner hereby withdraws the pending 112 Rejection that was given in the previous Office Action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4, 7-9, 15, and 18-19 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "said event". There is insufficient antecedent basis for the limitation in the claim. Similar problem exists in claims 8, 15, and 19.

Claim 7 recites the limitation "said application". There is insufficient antecedent basis for the limitation in the claim. Similar problem exists in claims 9 and 18.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parker et al. (US Patent Application Publication 2002/0116541, hereinafter Parker) in view of Heinonen et al. (US Patent 6,633,758, hereinafter Heinonen).

As to claim 1, Parker discloses an electronic device (Figure 1) comprising: at least one output device for emitting a plurality of different signals (Figure 1, paragraph [0023], lines 4-9, sound, LED light, vibration); and, a microcomputer (Figure 2, paragraph [0026], computer) for processing a plurality of events (paragraph [0020], lines 16-20, calendar events) and a plurality of applications (paragraph [0031], applications, paragraph [0002],[0057], appointment reminders, reception of email, notified of incoming telephone calls and text messages, note: appointment reminders, reception of email, call,.. are treated and handled by different applications, see also Heinonen, column 6, lines 58-60, the user may configure different applications with the user's own parameter values to better fit the user's needs in each operational mode) such that when one of said applications executes during said events (paragraph [0035], lines 13-19, paragraph [0036], lines 7-9, receive call/message during scheduled event, for

example, meeting) said microcomputer derives a notification behaviour from a plurality of notification behaviours based on at least one criterion associated said one of said plurality of events (Figures 5-7, 9, based on scheduled event and associated notification mode, i.e. notification behaviour) and instructs said output device to emit one of said signals according to said notification behaviour (paragraph [0034], lines 13-15, the operating system 304 uses the chosen notification mode [behaviour] to initiate user notifications), said notification behaviour for said one of said plurality of events being determined from a profile selected from a plurality of different profiles (paragraph [0009], [0034], [0035], each mode has an associated profile and is selected from notification profiles stored in the memory system 206); each of said notification behaviours having a set of identical parameters for each of said applications (Figure 4, Table 1, paragraph [0035], parameters such as Volume, Sound Files, Notification Type); each of said notification behaviours being uniquely configurable for each of said applications.

Parker discloses that profiles may be created that provide for certain notification types, such as sound, for only specific notification events, such as critical reminders (paragraph [0036]), but do not mention explicitly that each of said notification behaviours being uniquely configurable for each of said applications. However, it is known that message and reminder are handled by different applications.

Furthermore, Heinonen discloses each of said notification behaviours being uniquely configurable for each of said applications (Figure 2, items 8, 10, column 2, lines 14-17, setting application specific operational mode parameters in operational modes of communication devices, column 4, lines 41-50, column 5, lines 11-22, each application may have parameter settings that are customized for the application, column 6, lines 58 to column 7, line 12, user's

own parameter values to better fit the user's needs in each operational mode. One useful example is sound, warning or alert tones)

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Parker's disclosure to include notification behaviour basing on a plurality of profiles configurable for each said application as taught by Heinonen for the purpose of obtaining different operation parameters (like ring tone, ring volume, silence setting) for different operation behaviour (column 1, lines 51-64, Heinonen). The skilled artisan would have been motivated to improve the invention of Parker per the above such that notification behaviour can be further customized based on the profile associated with the application (column 6, lines 21-42, Heinonen).

As to claim 2, Parker discloses the electronic device of claim 1 wherein said device is selected from the group consisting of a wireless personal digital assistant, a personal computer, a cell telephone, and a smart telephone (small portable computing device, laptop, notebook, paragraph [0001], [0002],[0025]).

As to claim 3, Parker discloses the electronic device of claim 1 wherein said signals are selected from the group consisting of audible (Figure 5, item 108, paragraph [0020], lines 6-7), mechanical (paragraph [0023], lines 7-8) and visual signals (Figure 5, item 110, paragraph [0020], lines 6-7).

As to claim 4, Parker discloses the electronic device of claim 1 wherein said event is an appointment associated with said notification behaviour (paragraph [0051], [0054]).

As to claim 5, Parker discloses the electronic device of claim 4 wherein said applications is a receipt of an electronic message (email, paragraph [0002], lines 14-18, paragraph [0036]) and said signal identifies said receipt (paragraph [0036]).

As to claim 6, Parker discloses the electronic device of claim 4 wherein said applications is a daily alarm and said signal identifies said alarm (critical reminder, paragraph [0036]).

As to claim 7, Parker discloses the electronic device of claim 4 wherein said electronic device includes functionality of a telephone (paragraph [0057]) and said application is a receipt of a telephone call (paragraph [0036]).

As to claim 8, Parker discloses the electronic device of claim 1 wherein said notification behaviour is automatically selected based on a predefined string of characters included in said event (select notification mode [behaviour] for a particular person, paragraph [0036], lines 7-9, automatic profile selected based on appointment type, paragraph [0054]).

As to claim 9, Parker discloses the electronic device of claim 1 wherein said events occur in different applications stored on said device (paragraph [0057], lines 1-6, phone call, message, reminder) and Heinonen discloses wherein said notification behaviour is based on a plurality of

profiles configurable for each said application (Parker, paragraph [0057], lines 6-15, Heinonen, Figure 2, 8, 10, column 2, lines 14-17, setting application specific operational mode parameters in operational modes of communication devices, column 4, lines 41-50, column 5, lines 11-22, each application may have parameter settings that are customized for the application, column 6, lines 58 to column 7, line 12).

As to claim 10, Parker discloses the method of claim 1 wherein said output devices include a flashing LED output device for emitting a visual signal (alert by light, Figure 1, item 110, Figure 7, item 706) and a speaker for emitting an audible signal (alert by sound, Figure 1, item 108).

As to claim 21, Parker discloses the device of claim 1 wherein each of said plurality of events has associated therewith a profile selected from said plurality of different profiles (abstract, paragraph [0020], lines 1-7, paragraph [0052], lines 1-8).

As to claim 11, Parker discloses an electronic device (Figure 1) comprising: at least one output device for emitting a plurality of different signals (Figure 1, paragraph [0023], lines 4-9, sound, LED light, vibration); and, a microcomputer (Figure 2, paragraph [0026], computer) configured to maintain a plurality of calendar appointments (paragraph [0006], appointment reminders, paragraph [0051], calendar-type application capable of storing appointments and other calendar-related item) and configured to execute a plurality of different applications (paragraph [0031], applications, paragraph [0002],[0057], appointment reminders, reception of

email, notified of incoming telephone calls and text messages, note: appointment reminders, reception of email, call,... are treated and handled by different applications, see also Heinonen, column 6, lines 58-60, the user may configure different applications with the user's own parameter values to better fit the user's needs in each operational mode) such that when one of said applications executes during said one of said calendar appointment (paragraph [0035], lines 13-19, paragraph [0036], lines 7-9, receive call/message during scheduled event, for example, meeting) said microcomputer derives a notification behaviour associated with said calendar appointment (Figures 5-7, 9, based on scheduled event and associated notification mode, i.e. notification behaviour) and instructs said output device to emit one of said signals according to said notification behaviour (paragraph [0034], lines 13-15, the operating system 304 uses the chosen notification mode [behaviour] to initiate user notifications), said notification behaviour for said one of said plurality of calendar appointments being determined from a profile selected from a plurality of different profiles (paragraph [0009], [0034], [0035], each mode has an associated profile and is selected from notification profiles stored in the memory system 206); each of said notification behaviours having a set of identical parameters for each of said application (Figure 4, Table 1, paragraph [0035], parameters such as Volume, Sound Files, Notification Type); each of said notification behaviours being uniquely configurable for each of said applications.

Parker discloses that profiles may be created that provide for certain notification types, such as sound, for only specific notification events, such as critical reminders (paragraph [0036]), but do not mention explicitly that each of said notification behaviours being uniquely

configurable for each of said applications. However, it is known that message and reminder are handled by different applications.

Furthermore, Heinonen discloses each of said notification behaviours being uniquely configurable for each of said applications (Figure 2, items 8, 10, column 2, lines 14-17, setting application specific operational mode parameters in operational modes of communication devices, column 4, lines 41-50, column 5, lines 11-22, each application may have parameter settings that are customized for the application, column 6, lines 58 to column 7, line 12, user's own parameter values to better fit the user's needs in each operational mode. One useful example is sound, warning or alert tones)

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Parker's disclosure to include notification behaviour basing on a plurality of profiles configurable for each said application as taught by Heinonen for the purpose of obtaining different operation parameters (like ring tone, ring volume, silence setting) for different operation behaviour (column 1, lines 51-64, Heinonen). The skilled artisan would have been motivated to improve the invention of Parker per the above such that notification behaviour can be further customized based on the profile associated with the application (column 6, lines 21-42, Heinonen).

As to claim 22, Parker discloses the device of claim 11 wherein each of said plurality of calendar appointments has associated therewith a profile selected from said plurality of different profiles (abstract, paragraph [0020], lines 1-7, paragraph [0052], lines 1-8).

Claims 12-19 and 23 are method claims corresponding to the device of claims 1-8 and 21 respectively and are thus rejected along the same rationale.

Claims 20 and 24 are computer-readable storage medium claims corresponding to the device of claims 1 and 21 respectively and are thus rejected along the same rationale.

Response to Amendment and Remarks

Applicant's arguments based on newly amended features with respect to claims 1, 11-12 and 20 ("*each of said notification behaviours having a set of identical parameters for each of said applications; each of said notification behaviours being uniquely configurable for each of said applications*") have been fully and carefully considered but are moot in view of the new ground(s) of rejection. Refer to the corresponding sections of the claim analysis for details.

Related Prior Arts

The following list of prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Deeds; Douglas, US 7248900 B2, 'Compound ring tunes'.
- Karstens; Rich et al., US 7076275 B1, "Method and system for single-step enablement of telephony functionality for a portable computer system".
- Kimbell, Benjamin D. et al., US 20040198427 A1, "System and method for incoming communication management for a communication device".

- Yu, Hyung-Seok, US 20040058718 A1, "Method for giving notice of an incoming call in a mobile communication terminal".
- Skinner; Craig et al., US 6928300 B1, "Method and apparatus for automated flexible configuring of notifications and activation".
- Cronin; Thomas M., US 6999731 B2, "Control of an alert mechanism by communication of an event-associated command".

Conclusion

Applicant's amendment necessitated the new grounds of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 9, 2008

Shew-Fen Lin
Patent Examiner
Art Unit 2166



HOSAIN ALAM
SUPERVISORY PATENT EXAMINER